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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LAURIE E. SWEIGARD	:	
Plaintiff	:	CIVIL ACTION NO.
	:	02-2755
V.	:	
	:	
CHOICE SERVICES INTERNATIONAL,	:	
INC., ET AL	:	
Defendants	:	

PLAINTIFF'S MOTION TO COMPEL
DEFENDANTS' ANSWERS TO INTERROGATORIES
AND PRODUCTION OF DOCUMENTS

1. Plaintiff's First Interrogatories directed to each defendant, and First Request for Production of Documents were served on the Defendants via first class mail on June 20, 2002. (Exhibit A).
2. To date, the Defendant has failed to serve any responses or objections to said discovery requests.
3. On August 2, 2002, after Defendants' responses were past due, Plaintiff's counsel forwarded a letter to Defense counsel inquiring when discovery responses would be forthcoming. (Exhibit B).

4. No response whatsoever was received from the Defendant.
5. Plaintiff's counsel sent another letter to Defense counsel on August 6, 2002 reminding Defendants of the fact that their responses were more than two weeks past due, and inquiring as to when the responses would be forthcoming. (Exhibit C).
6. No response whatsoever was received from the Defendant.
7. On August 29, 2002, Plaintiff's counsel sent Defense counsel another letter, via fax, warning that if no responses were served by September 4, 2002, a motion to compel would be filed. (Exhibit D).
8. On August 30, 2002, defense counsel called the undersigned Plaintiff's counsel, apologized for the delay, and assured that responses would be delivered no later than the middle of the week of September 2, 2002.
9. Once again, Defendants have failed to serve any responses to Plaintiff's discovery requests.
10. The Plaintiff has scheduled a series of depositions in this matter, but counsel's efforts to properly prepare for these depositions has been compromised by the absence of any discovery responses whatsoever.
11. The Plaintiff has been patient and allowed Defendants more than ample opportunity to serve responses, but further delays will only serve to prejudice the Plaintiff's ability to pursue her claims, especially in view of the fact that

the discovery cut-off date is October 21, 2002.

12. Plaintiff's counsel hereby certifies that he has made a good faith effort to resolve this discovery dispute with Defense counsel as required by Fed.R.Civ.P. 37(a)(2)(B) and Local Rule 26.1(f), however, such efforts have been unsuccessful.

WHEREFORE, the Plaintiff respectfully requests this Honorable Court to grant her Motion, Order the Defendants to serve full and complete answers to her Interrogatories and produce all documents responsive to her Requests for Production, and pay for the counsel fees incurred in preparing this motion.

Date: September 6, 2002

JOSEPH A. HIRSCH, ESQ.
Attorney for Plaintiff

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	:	
CHOICE SERVICES INTERNATIONAL,	:	
INC., ET AL	:	
Defendants	:	

Certificate of Service

I, Joseph A. Hirsch, Esq., hereby certify that on this date, I served a true and correct copy of the Plaintiff's Motion to Compel Defendants' Answers to Interrogatories and Production of Documents upon Peter D. Bludman, Esq., counsel for Defendants, at Margolis Edelstein, The Curtis Center, 4th Floor, Independence Square West, Philadelphia, PA 19106-3304, via first fax (215-922-1772) and class mail, postage prepaid.

Date:

JOSEPH A. HIRSCH, ESQUIRE

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	:	
CHOICE SERVICES INTERNATIONAL,	:	
INC., ET AL	:	
Defendants	:	

O R D E R

AND NOW, this _____ day of _____, 2002,
upon consideration of the Plaintiff's Motion to compel answers to
interrogatories and production of Documents, it is hereby ORDERED
that the Plaintiff's motion is GRANTED, and the Defendants shall
serve full and complete answers to Plaintiff's Interrogatories
and produce all documents responsive to Plaintiff's Requests for
Production of Documents within _____ days after the date of
this Order; and,

It is hereby FURTHER ORDERED that Defendant shall pay to
Plaintiff attorneys fees and costs in the amount of \$_____

incurred in preparing and prosecuting this Motion.

BY THE COURT

, J.